

### **REMARKS**

The present application has pending claims 2 and 3.

Claim 2 stands rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,727,926; and claim 3 stands rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 2 of U.S. Patent No. 6,727,926. Applicants do not agree with these rejections. However, in order to expedite prosecution of the present application, filed on even date herewith is a Terminal Disclaimer obviating these rejections. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.


It should be noted that the filing of the Terminal Disclaimer was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 2 and 3 are taught or suggested by the claims of the prior patent. The filing of the Terminal Disclaimer was simply intended to expedite prosecution of the present application.

In view of the foregoing amendments and remarks, Applicants submit that claims 2 and 3 are in condition for allowance. Accordingly, early allowance of the present application based on claims 2 and 3 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.37355CX1).

Respectfully submitted,

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